

MACOMB TOWNSHIP PLANNING COMMISSION
MINUTES MEETING AND PUBLIC HEARING
HELD TUESDAY, OCTOBER 5, 2004
1 OF 11

UNAPPROVED

LOCATION: MACOMB TOWNSHIP MEETING CHAMBERS
54111 BROUGHTON ROAD
MACOMB, MICHIGAN 48042

PRESENT: EDWARD GALLAGHER, CHAIRMAN
MICHAEL D. KOEHS, SECRETARY
MEMBERS: DEAN AUSILIO
KENNETH MEERSCHAERT, SR.
JOA PENZIEN
ARNOLD THOEL

ABSENT: ROGER KRZEMINSKI

ALSO PRESENT: Larry Dloski, Township Attorney
Jerome R. Schmeiser, Community Planning Consultant
(Additional attendance on file with Clerk)

Call Meeting to Order

Chairman GALLAGHER called the meeting to order at 7:00 P.M.

PLEDGE OF ALLEGIANCE

1. Roll Call.

Clerk KOEHS called the Roll. All Members present excluding Roger Krzeminski due to resignation and appointment as a Trustee on the Township Board.

2. Approval of Agenda Items. (*With any corrections*)

MOTION by AUSILIO seconded by THOEL to approve the amended agenda as discussed.

MOTION carried.

3. Approval of the September 21, 2004 previous Meeting Minutes.

MOTION by AUSILIO seconded by PENZIEN to approve the September 21, 2004 previous Meeting Minutes as submitted.

MOTION carried.

AGENDA ITEMS:

4. Site Plan; Hartford PUD; Located on the southeast corner of 24 Mile Road and Card Road. Hartford Macomb LLC, Petitioner. Permanent Parcel No. 08-14-100-004.

Jerome R. Schmeiser, Community Planning Consultant, reviewed the findings and recommendations for approval.

Petitioner Present: Richard Ives, 45000 River Ridge Drive, Clinton Township, MI

Member THOEL held further discussion with the petitioner regarding extending the 8' pedestrian pathway. Mr. Ives indicated that the petitioner would have no problem extending the 8' pedestrian pathway conditioned on the property owner contributing this easement to the Township so that the pedestrian pathway can be extended.

Larry Dloski, Township Attorney held further discussion regarding the Master Declaration which addresses the entire site and the Master Deed which addresses specific phases. Mr. Dloski suggested a revised site plan be submitted of Phase I that specifically identifies all improvement areas and coordinates with the Master Declaration and Master Deed documents. Mr. Dloski suggested that the revised plans be forwarded to the Township Board of Trustees for overall review.

Public Portion: Walter Luedke, 52711 Card Road, Township resident addressed his concerns regarding extending the 8' pedestrian pathway across his property and the concern of destruction caused by agricultural equipment. Mr. Luedke suggested that the petitioner consider involving greenbelt areas to buffer his agricultural property to prevent any future nuisances to homeowners.

MOTION by KOEHS seconded by THOEL to approve the Site Plan; Hartford PUD; Permanent Parcel No. 08-14-100-004 as discussed and forward the documents to the Township Board of Trustees for overall review. This motion is based on the Planning Consultants recommendations as follows:

1. **The parking areas to be properly graded, drained and paved within one (1) year's time to the satisfaction of the Township Engineer. Posts to be installed in parking areas to protect exit doors, gas meters, etc.**
2. **The petitioner to comply with all pertinent codes and ordinances, and guarantee that dimensions, acreage figures, and recorded easements in connection with this site plan are true and accurate as they provide the basis for this recommendation. The approval is given with the understanding that any structures such as signs, walls, tanks, etc., planned for the site will not be**

- located in any utility easement or properties set aside for drains, sewers or water facilities unless an easement agreement is signed with the governing authority controlling the easement or property.
3. The front yard area and the areas between street line and sidewalks to be planted with grass and trees, and maintained. No stones or loose materials are permitted in the areas between the sidewalk and street; however a greenbelt with a three (3) foot cement strip along the curb or street line is permitted.
 4. The curb radii, curb cuts, including their location, deceleration lanes, by pass lanes and other geometrics and designs, are subject to approval by the County Road Commission, Michigan Department of Transportation, and the Township Engineer.
 5. Sidewalks to be provided to the satisfaction of the Township Engineer.
 6. Light fixtures or light standards must have deflectors or shields for positive cut-off of direct beams of light, or glare from bulbs or fixture lenses, shining or casting light onto adjacent properties. All fixtures under canopies must be installed with flat lenses as indicated by the industry.
 7. That the trash or dumpster pad area be enclosed on three sides with a six (6) foot wall and be secured with screened gates. All walls to be constructed with a masonry pointed cap, the angle of the pointed cap to be 45 degrees. If additional dumpsters are to be located on the site, each must be enclosed in like manner.
 8. An acceptable method of surety, such as a corporate surety bond or cash bond, in an amount approved by the Township Engineer, be posted, assuring the Township the property will be developed within two (2) years in accordance with the plan and elevations. If not developed within two (2) years from date of site plan approval, the petitioner will have to appear before the Planning Commission for consideration of an extension of the two year time period. The bond must be posted prior to receiving construction permits from the Township Water/Sewer Department.
 9. The petitioner/applicant may request the release of the site plan bond when the site has been completed in accordance with all conditions made part of this approval and contained herein. The request for release must be in writing and accompanied by 2 copies of the "As Built Plans". The "As Built Plan" will be compared with the stamped approved Site Plan Drawing to help determine the readiness for release of said bond.

10. That handicap parking be provided per the requirements of the State and the ADA (American Disabilities Act).
11. That all signs be designated on the site plan and meet the Township requirements.
12. That the petitioner meet with the Michigan Department of Environmental Quality (MDEQ) regarding floodplains and/or wetlands to determine any building limitations.
13. MDEQ- That specific conditions and approvals regarding changes to the 100 year flood plain be done so with the understanding that the petitioner shall seek and obtain map revisions or amendments to reflect the lower amendment on the flood plain map as prepared by FEMA, prior to the issuance of any building permits.
14. That any required walls or greenbelts be constructed/installed prior to the issuance of a Certificate of Occupancy. All walls to be constructed with a masonry pointed cap, the angle of the point to be 45 degrees. All walls must be constructed on a continuous foundation. The "hung" type wall, that is with panels on channeled pillars, shall not be allowed.
15. That the petitioner provide proper drainage (storm and sanitary) and a proper water supply in accordance with the standards of the Township Water and Sewer Department and the County Drain office.
16. That the petitioner properly name any proposed streets or private drives that may be due on the site and coordinate said names with the Macomb Township Supervisor's Office. Addresses are assigned after site plan approval. The petitioner must coordinate said street names with the Macomb Township Supervisor's office and submit (2) plans on 11" x 17" paper.
17. That any future splitting and/or division of any portion of the property or additions to the property, approved in this plan, be reconsidered by the Assessor and Planning Commission. That all splits be approved by the Tax Assessor.
18. That the case of structures in commercial zones that roof mounted appliances and fixtures shall be effectively screened on all sides by the roof line so as not to be visible from off the site.

19. That in the case of commercial zones that outdoor storage and display of merchandise is prohibited. Minor day to day, in and out display may be permitted when kept behind all established yard setback lines.
20. That all requirements of the Zoning Ordinance be met.
21. Since the matter being considered is a revised site plan, then all conditions of the earlier approval, that may apply to other features of the plan not being considered for the current revision and whether or not they are noted on the plan herein presented, are to remain in full force and effect.
22. That the petitioner be aware that a Certificate of Zoning Compliance and a Certificate of Occupancy must be obtained prior to the occupation of the proposed building.
23. That the site plan include a site illumination plan containing a detailed profile of each classification of lighting fixture.
24. The site plan for Phase I must identify for construction all improvements required to be constructed in Phase I pursuant to the development agreement. The Master Declaration must be recorded and provide that Phase I is responsible for the maintenance of all of the site improvements constructed with Phase I until such time as other phases may be constructed. The Master Deed for Phase I must be consistent with the Master Declaration and Development Agreement. The Master Deed for Phase I, Master Declaration for the overall PUD must be reviewed and approved by the Township Assessor and Township Attorney. The site plan for Phase I must be revised to identify for construction all improvements required by the Development Agreement to be constructed with Phase I.
25. That all condominium documents must be approved by the Township Attorney and the Township Assessor.
26. The geometrics for the access drive to 24 Mile Road must be approved by Township Engineer and the Road Commission of Macomb County.

Your site plan will be forwarded to the Township Board for consideration at their October 27, 2004 meeting. After review by the Planning Commission, it was determined that two (2) copies of a revised site plan must be submitted to the Township for review and recommendation by the Planning Consultant. In order to have sufficient review time for the October 27, 2004 meeting, revised plans must be submitted to this office no later than October 20, 2004.

MOTION carried.

5. Ground Signs; Hartford PUD; Located on the southeast corner of 24 Mile Road and Card Road. Hartford Macomb LLC, Petitioner. Permanent Parcel No. 08-14-100-004.

Jerome R. Schmeiser, Community Planning Consultant, reviewed the findings and recommendations for approval.

Petitioner Present: Richard Ives, 45000 River Ridge Drive, Clinton Township, MI

Public Portion: None

MOTION by AUSILIO seconded by MEERSCHAERT to approve the petitioners request for two Ground Signs; Hartford PUD; located in each boulevard entrance, off Card and 24 Mile Roads. Permanent Parcel No. 08-14-100-004. This motion is pursuant to the Planning Consultants recommendations as follows:

1. **That all signs be designated on the site plan and meet the Township requirements.**

MOTION carried.

6. Rezoning Request; Agricultural (AG) to Residential One Family Urban (R-1); Located on the south of 24 Mile Road and east of Romeo Plank Road. Vincent Militello, Petitioner. Permanent Parcel No. 08-17-100-030

Jerome R. Schmeiser, Community Planning Consultant, reviewed the petitioners request to rezone the property from Agricultural (AG) to Residential One Family Urban (R-1). However, it is noted that the current zoning map indicates that the property is zoned Residential One Family Suburban (R-1-S). Mr. Schmeiser recommended that the property be rezoned from Residential One Family Suburban (R-1-S) to Residential One Family Urban (R-1).

Petitioner Present: Stacy Cerget of Fazal Khan and Associates

Member THOEL discussed with the petitioner the proposed property involving floodplain areas. Mr. Schmeiser reviewed the requirements of Residential One Family Suburban (R-1-S) zone.

Public Portion: None

MOTION by AUSILIO seconded by MEERSCHAERT to forward the recommendation to the Township Board of Trustees to approve the rezoning of the property from Residential One Family Suburban (R-1-S) to Residential One Family Urban (R-1); Permanent Parcel No. 08-17-100-030. This motion is pursuant to the Planning Consultants recommendations as follows:

- 1. The proposed rezoning is consistent with the goals of the Master Plan.**
- 2. The proposed rezoning is consistent with the development of the surrounding properties.**

MOTION carried

7. Ground Sign; Thomas Pascoe Professional Center; Located on the north side of Hall Road and west of Heydenreich Road. DePrez Custom Builders, Petitioner. Permanent Parcel No. 08-33-400-044.

Jerome R. Schmeiser, Community Planning Consultant, reviewed the findings and recommendations for approval.

Petitioner Present: DePrez Custom Builders representative present, name unidentified.

Public Portion: None

MOTION by KOEHS seconded by THOEL to approve the Ground Sign; Thomas Pascoe Professional Center; Permanent Parcel No. 08-33-400-044. This motion is based on the Planning Consultants recommendations as follows:

- 1. That Section 10.0319 of the Zoning Ordinance be met.**
- 2. That the surface area of one side of the sign be limited to 64 square feet (*per side*).**
- 3. That a \$500.00 cash bond be posted assuring the installation of the sign as approved.**

MOTION carried.

8. Rezoning Request; Agricultural (AG) to Residential One Family Urban (R-1); Located on the north side of 25 Mile Road, approximately ¼ mile west of Broughton Road. Macomb Township, Petitioner. Permanent Parcel No. 08-04-400-031.

Jerome R. Schmeiser, Community Planning Consultant, stated the Township is rezoning this parcel surrounded by residential zones to maintain uniformity.

Petitioner Present: Macomb Township

Public Portion: None

MOTION by AUSILIO seconded by THOEL to forward the recommendation to the Township Board of Trustees to approve the rezoning of the property from Agricultural (AG) to Residential One Family Urban (R-1); Permanent Parcel No. 08-04-400-031. This motion is based on the Planning Consultants recommendations as follows:

- 1. The proposed rezoning is consistent with the goals of the Master Plan.**
- 2. The proposed rezoning is consistent with the development of the surrounding properties.**

MOTION carried.

9. Ground Sign; Comerica Bank; Located on the southeast corner of 26 Mile and Romeo Plank Road. Euko Designs Signs Inc., Petitioner. Permanent Parcel No. 08-05-100-029.

Jerome R. Schmeiser, Community Planning Consultant, reviewed the findings and recommendations for approval. Further, noting that Section 10.1605I allows for only one ground sign for a parcel of land zoned C-2. Therefore, no other ground sign will be permitted to separately identify the individual tenants in the retail grouping.

Petitioner Present: Gene, last name unidentified, of Euko Designs Signs Inc.

Public Portion: None

MOTION by KOEHS seconded by THOEL to approve the Ground Sign; Comerica Bank; Permanent Parcel No. 08-05-100-029. This motion is based on the Planning Consultants recommendations as follows:

- 1. That Section 10.0319 of the Zoning Ordinance be met.**
- 2. That the surface area of one side of the sign be limited to 50 square feet.**
- 3. That a \$500.00 cash bond be posted assuring the installation of the sign as approved.**

MOTION carried.

10. Ground Sign; Fallbrooke Farms Subdivision; Located on the northwest corner of Fallbrooke Drive and 25 Mile Road (*Fallbrooke Drive Entrance*). Elro Corporation, Petitioner. Permanent Parcel No. 08-04-400-036.

Jerome R. Schmeiser, Community Planning Consultant, reviewed the findings and recommendations for approval.

Petitioner Present: Jessie Kraniz of Elro Corporation

Public Portion: None

MOTION by AUSILIO seconded by PENZIEN to approve the Ground Sign; Fallbrooke Farms Subdivision; Located 10' from 25 Mile Road and 18' from Fallbrooke Drive adjacent to lot # 1. Permanent Parcel No. 08-04-400-036. This motion is based on the Planning Consultants recommendations as follows:

1. That Section 10.0319 of the Zoning Ordinance be met.
2. That the surface area of the one side of the sign be limited to 40 square feet.
3. That a \$500.00 cash bond be posted assuring the installation of the sign as approved.

MOTION carried.

11. Ground Sign; Fallbrooke Farms Subdivision; Located on the northwest corner of Englewood Drive and 25 Mile Road (*Englewood Drive Entrance*). Elro Corporation, Petitioner. Permanent Parcel No. 08-04-400-036.

Jerome R. Schmeiser, Community Planning Consultant, reviewed the findings and recommendations for

Petitioner Present: Jessie Kraniz of Elro Corporation

Public Portion: None

MOTION by AUSILIO seconded by KOEHS to approve the Ground Sign; Fallbrooke Farms Subdivision; Located 10' from 25 Mile Road and 18' from Englewood Drive adjacent to lot # 89. Permanent Parcel No. 08-04-400-036. This motion is based on the Planning Consultants recommendations as follows:

1. That Section 10.0319 of the Zoning Ordinance be met.
2. That the surface area of the one side of the sign be limited to 40 square feet.
3. That a \$500.00 cash bond be posted assuring the installation of the sign as approved.

MOTION carried.

NEW BUSINESS:

12. ARCH-CRETE; Discuss alternative forms for buffer walls. Jeffrey Fry, presenter.

Presenter Present: Bob Binkowski, General Manager of Architectural Concrete Creations

Mr. Binkowski held further discussion with the Members of the Board suggesting further review of the Township Ordinance Section 10.0344 for consideration to alter forms of buffer walls for the Township.

MOTION by KOEHS seconded by PENZIEN to forward the item to the Township Board of Trustees for review of the Township Zoning Ordinance Section 10.0344 pertaining to alternative forms of buffers walls and identified if the section merits change.

MOTION carried.

13. SBC Application for Right-of-Way Telecommunications Permit

Item Removed.

Addition:

14. Extension of Time; Site Plan; Unit 11 Macomb Industrial Park. Concord Associates, LLC, Petitioner. Permanent Parcel No. 08-18-326-011.

MOTION by KOEHS seconded by THOEL to approve the extension of time; Site Plan; Unit 11 Macomb Industrial Park; for one year to expire October 16, 2005. Permanent Parcel No. 08-18-326-011.

MOTION carried.

15. Motion to receive and file all correspondence in connection with this agenda.

MOTION by PENZIEN seconded by AUSILIO to receive and file all correspondence in connection with this agenda.

MOTION carried.

PLANNING CONSULTANTS COMMENTS: None

PLANNING COMMISSION COMMENTS: None

ADJOURNMENT:

MOTION by AUSILIO seconded by MEERSCHAERT to adjourn this meeting at 8:25 P.M.

MOTION carried.

Respectfully submitted,

Edward Gallagher, Chairman

Michael D. Koehs, CMC
Macomb Township Clerk
MDK/gmb